



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT

Directorate B – Sustainability

Brussels

agri.b.4(2022)1576820

Dear [REDACTED]

I would like to thank you for your email of 11 February ¹ asking for clarifications on the potential use of organic processed animal proteins derived from animal by-products.

You explain that a few months ago, processed animal proteins (PAPs) from slaughter by-products was approved in the EU for the feeding of pigs and poultry under strict conditions. In view of the tight supply situation with protein feed in organic farming, there are positive signals from the organic feed industry for the production of organic PAPs and the use of corresponding feed. In this context, you ask whether organic PAPs can be used in organic farming within the framework of the current legal situation or is a listing in Annex III of Regulation (EU) 2021/1165 necessary?

In your email, I assume that you are referring to the Commission Regulation (EU) 2021/1372 of 17 August 2021 amending Annex IV to Regulation (EC) No 999/2001 of the European Parliament and of the Council as regards the prohibition to feed non-ruminant farmed animals, other than fur animals, with protein derived from animals².

Under Article 24(1) and (8) of Regulation (EU) 2018/848³ on organic production, the Commission may authorise certain products and substances in restrictive lists, for the following purposes: [...] (c) as non-organic feed material of plant, algal, animal or yeast origin or as feed material of microbial or mineral origin and shall adopt implementing acts listing such authorised products and substances. Commission Implementing Regulation (EU) 2021/1165⁴ lists in its Annex III PART A the authorised non-organic feed material of plant, algal, animal or yeast origin or feed material of microbial or mineral origin referred to in point (c) of Article 24(1) of Regulation (EU) 2018/848.

¹ Ares (2022) 1184586

² OJ L 195, 18.8.2021, p.1.

³ [CL2018R0848EN0020010.0001.3bi_cp 1..1 \(europa.eu\)](https://eur-lex.europa.eu/eli/reg/2018/848/oj)

⁴ [Publications Office \(europa.eu\)](https://eur-lex.europa.eu/eli/reg/2021/1165/oj)

Moreover, Article 2 paragraph 4 of Regulation (EU) 2018/848 reads as follows: “*Except where otherwise provided, this Regulation applies without prejudice to related Union legislation, in particular, legislation in the fields of safety of the food chain, animal health and welfare, plant health and plant reproductive material.*” Hence, organic processed animal proteins can be used in organic farming within the framework of Regulation (EU) 2018/848 provided that, among others, the conditions set under Regulation (EC) No 999/2001⁵ as amended by Commission Regulation (EU) 2021/1372 and those for processed feed and nutrition of poultry and pigs under Regulation (EU) 2018/848 are complied with.

This opinion is provided on the basis of the facts set out in your letter of 11 February 2022 and expresses the opinion of the Commission services and does not commit the European Commission. In the event of a dispute involving Union law it is, under the Treaty on the Functioning of the European Union, ultimately for the Court of Justice of the European Union to provide a definitive interpretation of the applicable Union law.

Yours faithfully,



⁵ [CL2001R0999EN0570020.0001.3bi_cp 1..3 \(europa.eu\)](https://eur-lex.europa.eu/eli/reg/2001/999/oj)